

3:09 pm, Jan 18, 2017

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x
ROBERT DU PURTON,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.

-----x
Short Form Order
15-cv-1026(ADS)

APPEARANCES:

Carlton Fields Jorden Burt, P.A.

Attorneys for the Petitioner
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By: Brian Rosner, Esq., Of Counsel

U.S. Attorney's Office, Eastern District of New York

Attorneys for the Government
271 Cadman Plaza East
Brooklyn, New York 11201
By: Paul G. Scotti, Assistant U.S. Attorney

SPATT, District Judge:

By Memorandum of Decision and Order dated December 16, 2016, the Court denied the Petitioner's application for a writ of error *coram nobis* and closed this case.

Now, for substantially the same reasons as set forth in its prior opinion, the Court finds that the Petitioner's failure to demonstrate the denial of a constitutional right precludes his entitlement to a certificate of appealability. *See* 28 U.S.C. § 2253(c)(2).

It is SO ORDERED:

Dated: Central Islip, New York
January 18, 2017

/s/ Arthur D. Spatt

ARTHUR D. SPATT
United States District Judge